

ORDINANCE
CITY OF NEW ORLEANS

CITY HALL: March 15, 2012

CALENDER NO. 28,965

NO. 024855 **MAYOR COUNCIL SERIES**

BY: **COUNCILMEMBER HEAD**

AN ORDINANCE to amend and reordain Section 146-193 of the Code of the City of New Orleans, regarding the minimum sidewalk standards within the Downtown Development District, relative to the permissible materials and construction, to provide for consistency in sidewalk treatment for a particular block, to clarify the permitting and plan review process; and to provide otherwise with respect thereto.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Section 146-193 of the Code of the City of New Orleans be and the same is hereby amended and reordained to read as follows:

“Sec. 146-193. – Minimum sidewalk treatment within the Downtown Development District.

(a) All new sidewalks or banquettes or repaved sidewalks or banquettes immediately adjacent to property located within the downtown development district which is defined as that area bounded by the uptown side of Iberville Street, the river side of South Claiborne Avenue, the downtown side of the Pontchartrain Expressway and the river, shall be paved, repaved or constructed in accordance with all specifications including permitted materials, typical plans and section details, an official sidewalks designation map, and catalogue of streets as set forth herein.

The Department of Public Works and the clerk of council shall maintain as a public record, available for public inspection, a map and detailed plans, which delineate the type of treatment

for each sidewalk, located within the Downtown Development District and Vieux Carre. Such details, plans, and map shall be referred to as "on file" for the purposes of this section and section 146-194.

(1) Category "A" streets shall be paved, repaved or constructed with Boral Red brick pavers and Boral Savannah Brown brick pavers as borders, or approved equivalent pattern and construction as per detail series STD #17&18 (attached hereto and incorporated by reference), Sidewalk & Miscellaneous Details for Construction in the Downtown Development District.

(2) Category "B" streets shall be paved, repaved or constructed in concrete, pattern and construction as per detail series STD #17&18, Sidewalk & Miscellaneous Details for Construction in the Downtown Development District.

(3) Canal Street from the Mississippi River to Claiborne Avenue shall be designated as category "C" street. All sidewalks on Canal Street shall be constructed, maintained and restored in accordance with plans and specifications as outlined in the Canal St. Improvement Project (City Project # 01-DD-26840), dated November, 2004, or any subsequent plans and specifications. The Department of Public Works and the clerk of council shall maintain as a public record, available for public inspection, detailed plans and specifications for the type of treatment for Canal Street sidewalks.

(4) Category "D" streets shall be considered specialty thoroughfares including Poydras St. from the River to S. Claiborne Ave, and Tulane Ave. from S. Rampart to S. Claiborne Ave. The Category "D" streets shall be paved, repaved, or constructed in brick, concrete, or other materials that are consistent with the overall site plan for the adjacent building so

35 long as the sidewalk improvements are the same along the entire block face and adjacent
36 building.

37 All streets identified as category A, B, C, D shall be clearly marked on a street map and
38 accompanying catalog of streets herein referred to as the DDD Street Designation Map. Streets
39 not identified as Category A, B, C, or D are exempt from the provisions of this section. Details
40 for the aforementioned sidewalk treatment are to be found in the General Specifications and
41 Standard Plans for Sidewalk Paving and Temporary Surfacing, City of New Orleans, Louisiana,
42 section on minimum sidewalk treatment within the Downtown Development District.

43 **(b) Exceptions:**

44 (1) A category "B" street may be permitted to use materials, plans, and specifications
45 permitted under category "A" under the following conditions:

46 (a) The project site is currently brick and replacement will be in kind.

47 (b) The existing sidewalks are predominantly brick and the project site will increase the
48 total area of brick sidewalk along an existing block face.

49 (c) Sidewalks currently constructed using historic Pennsylvania bluestone may be
50 repaired or replaced in kind so long as the entire block consists of similar materials.

51 (2) In cases where a single block face is treated with at least 50% of a particular material,
52 the property owner or developer must match the most prevalent material on the block.
53 The calculation will be the percentage of the project site to total block face as measured
54 in linear feet.

55 (3) The prevailing determination of permitted materials shall be the effort to establish
56 consistency and uniformity of a single block with regards to material, color, and pattern.

(4) Changes or modifications with regards to permitted materials, plans, and specifications may be authorized by the Director of the Department of Public Works after consultation with the President of the Downtown Development District and the District Councilmember.

(c) All roadway curbs within the Downtown Development District will be either stone curbs or vertical concrete curbs as per details found in the General Specifications and Standard Plans for Street Construction, City of New Orleans, Louisiana. In the warehouse district where granite and slate roadway curbs exist in sections of two linear feet or more, they shall be reset in place.

(d) No person shall remove an existing sidewalk or install a new sidewalk, or make any cut for any purpose whatsoever in any sidewalk pavement, in the Downtown Development District without first having obtained a permit from the Department of Public Works. Application for such a permit shall be made on a printed form, which the Director of the Department of Public Works shall furnish for this purpose. Such form shall include the name, address, phone, and email address of the person desiring to install a sidewalk, the project location, the dimensions and site plans of such sidewalk. The application form, site plan, and sample of materials must be submitted to the Downtown Development District prior to a permit being issued. The permit required by this section shall be granted only to the owner of the real property adjacent to which the proposed sidewalk is to be constructed and maintained upon the application of such owner or his authorized agent. The property owner shall be held liable for construction work performed in the public right of way without the appropriate permit from the Dept. of Public Works. The Director of Public Works is authorized to issue a "stop work" order for sidewalk construction being performed in violation of this section. All existing granite and slate curbs shall be retained by the city for reuse within historic districts.

(e) Any person desiring to obtain a permit to install or modify a sidewalk shall submit an application to the director of public works for approval. A fee of \$40.00 made payable to the city shall accompany the submission of the application to defray costs of application processing and ensure compliance with the provisions of this article. All such fees shall be deposited to the department of public works maintenance account.

(f) Any property owner in the Downtown Development District shall contact in writing the utility companies (Sewerage and Water Board, Entergy., AT&T, and Cox) prior to the demolition of old sidewalks or installation of new sidewalks and adjustment of any manholes, catch basins, metal frames and covers, etc. The purpose is to obtain any information regarding proposed new utilities or revisions to existing utilities. Such notification must be given by the property owner at least 90 days prior to the planned activities to permit coordination of work efforts.

(g) When a city agency, utility company or property owner has to make repairs within a sidewalk or banquette paved in any material other than concrete, then the replacement must be made in kind, that is, the replaced materials shall be the same color, size, pattern, and textures as the materials removed and must match the existing pattern.

(h) When a property owner, city agency or utility company has to make repairs under an existing concrete sidewalk or banquette and 35 percent or more of that concrete area measured by total area square feet within a property owner's portion of sidewalk or banquette has to be removed to perform the utility construction or repair, the property owner, city agency or utility company performing the work is responsible for replacing the entire sidewalk or banquette within the property owner's portion according to the minimum standards set forth in this section. When repairs to an existing concrete sidewalk are less than 35 percent of a property owner's portion of a sidewalk or banquette area, then the replacement shall be made in kind to match the existing

pattern. When the agency, utility company, or property owner must make repairs to a concrete sidewalk then the replacement area must extend to the nearest expansion joint on all four sides of the location of repair.

(i) Streets with sidewalks in excess of 9' wide may be planted with street trees, pattern and construction as per detail series STD# 18, Sidewalk & Miscellaneous Details for Construction in the Downtown Development District. No person shall remove or plant sidewalk street trees within the boundaries of the Downtown Development District without first obtaining a permit from the Department of Parks & Parkways. Such form shall include the name, address, phone, and email address of the person desiring to install trees, the project location, the site plan, and proposed trees species. The application form and site plan must be submitted to the Downtown Development District and Parks and Parkways, prior to a permit being issued. The permit required by this section shall be granted only to the owner of the real property adjacent to which the proposed project location or to his authorized agent.

(1) All trees shall be a minimum of 2 to 2 ½ inch caliper in size taken six inches from the top of the root ball with a minimum tree height of 12 feet.

(2) Street trees shall be planted in a manner suitable for pedestrian traffic including a minimum clear width of 4' of sidewalk. If the walking area is next to a wall, fence or other continuous vertical barrier, there should be 5 ft. clear width, with 6 ft. clear width preferred. The Department of Public Works may direct Parks and Parkways to require a clear width of 6 to 8 feet or more if, in the determination of Department of Public Works, the street has or is expected to have a high volume of pedestrian traffic.

125 (3) The minimum tree well size is 4 ft. X 4 ft. Regardless of treatment, the tree well may
126 not be included in the required clear width of sidewalk. Ground cover and/or
127 stationary raised planters may be permitted on sidewalks within the Downtown
128 Development District in lieu of tree grates upon written approval of the Department
129 of Public Works in consultation with the Downtown Development District.
130 Deviations relative to the size of the minimum tree well may be granted by the
131 Director of Department of Public Works in consultation with the Downtown
132 Development District.

133 (4) Street trees will be located and planted as per details DDD STD#18 on file unless the
134 proposed trees conflict with the existing utilities under the sidewalk or banquette
135 where the trees are being proposed. Prior approval of all tree placements must be
136 obtained from the Department of Parks & Parkways, in consultation with the planning
137 advisory committee. See details on street tree planting for location and spacing
138 between trees in the General Specification and Standard Plans for Street Paving and
139 Temporary Surfacing, City of New Orleans, Louisiana, section on minimum sidewalk
140 treatment within the Downtown Development District.

141 (j) The removal, relocation, destruction, or abuse in any manner of a street tree is prohibited on
142 any parcel of land unless a variance, special exception, or approval has been obtained in writing
143 from both the Department of Parks & Parkways and the Downtown Development District. For
144 any trees affected as a result of pending development, the permit holder must make all efforts to
145 preserve protected trees or provide an appropriate mitigation or replacement plan in advance.

146 (k) Property owners, or any person, firm or corporation shall have full responsibility for
147 maintaining sidewalks in clean, good and safe condition and free from any defects or hazards

148 within their portion of sidewalk or banquette abutting said property, including the care and
149 maintenance of street trees. It is the responsibility of the property owner to procure, plant,
150 maintain and remove all trees, regardless of who constructed the sidewalk.

151 **(l)** The sidewalk, all tree grates, manholes, detectable warnings, and all other appurtenances must
152 comply with ADA, AASHTO and Federal Highway Administration requirements. Specifically,
153 a minimum 4 ft. clear pedestrian zone must be maintained. If the walking area is next to a wall,
154 fence or other continuous vertical barrier, there should be 5 ft. clear pedestrian zone, with a 6 ft
155 clear pedestrian zone preferred. Between the face of the curb and any signpost, utility pole, fire
156 hydrant or other vertical obstruction, there should be an 18 inch clear zone. All other grades,
157 cross slopes, transitions, clearances should comply with the published standards. Save ADA,
158 AASHTO, and Federal Highway Administration requirements, deviations relative to this section
159 may be granted by the director of Department of Public Works in consultation with the
160 Downtown Development District.

161 **(m)** The director of Department of Public Works is authorized at his discretion, to approve the
162 installation of sidewalks constructed with other paving materials on a case-by-case basis, after
163 consultation with the Downtown Development District, the City Planning Commission, and the
164 District Council Member of the area.

165

166 (n) The director of Department of Public Works is authorized, at his discretion, to waive the
167 installation of sidewalks constructed with other paving materials on a case-by-case basis, after
168 consultation with the Downtown Development District, the City Planning Commission, and the
169 District Council Member for the area.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS APR 19 2012

JACQUELYN B. CLARKSON

PRESIDENT OF COUNCIL

DELIVERED TO THE MAYOR ON APR 20 2012

APPROVED:

APR 25 2012

MITCHELL J. LANDRIEU

MAYOR

RETURNED BY THE MAYOR ON APR 25 2012 AT 4 20 PM

PEGGY LEWIS

CLERK OF COUNCIL

ROLL CALL VOTE:

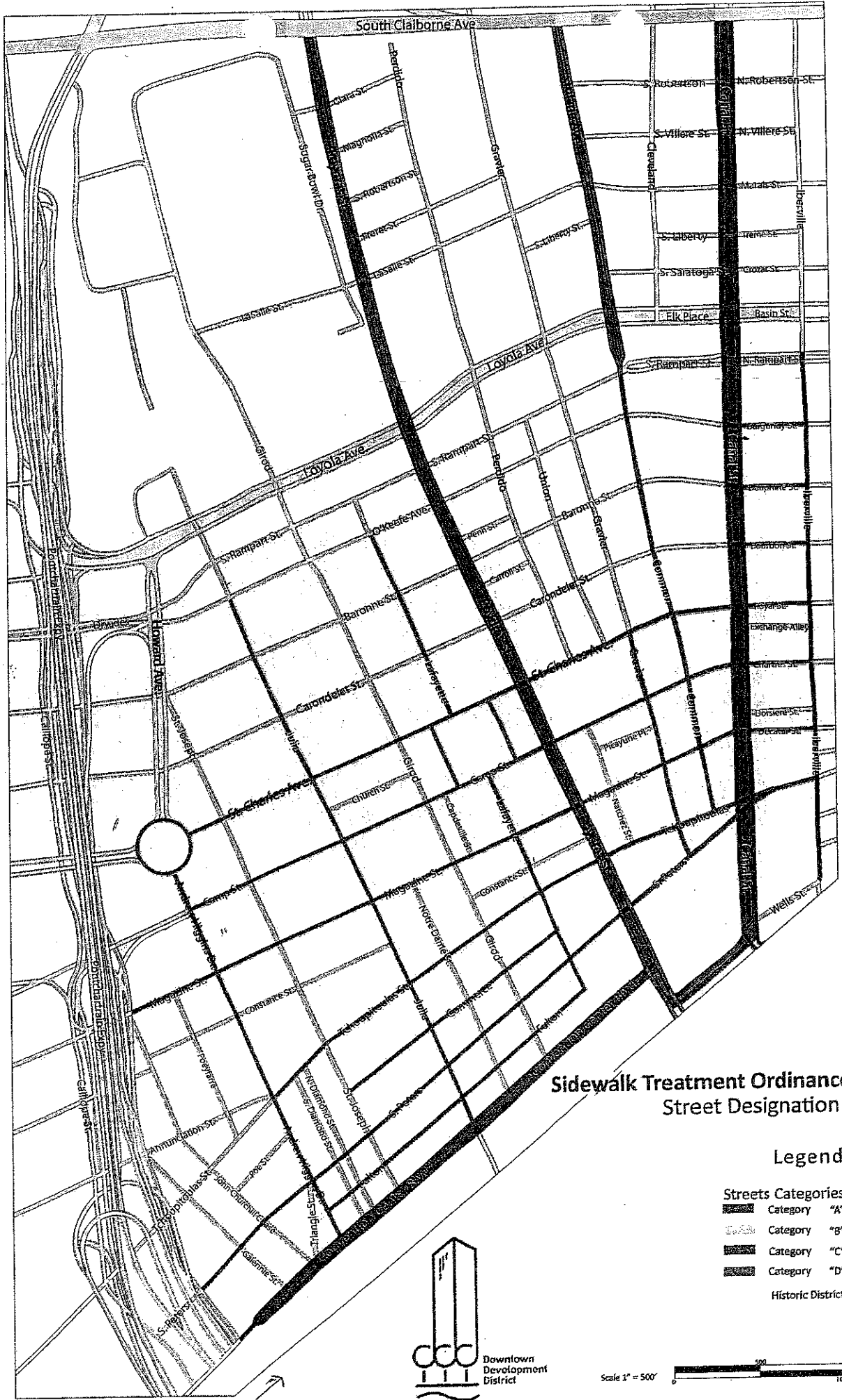
YEAS: Clarkson, Gisleson Palmer, Granderson, Guidry, Head, Hedge-Morrell,
Johnson - 7

NAYS: 0

ABSENT: 0





THE FOREGOING IS CERTIFIED
TO BE TRUE AND CORRECT COPY

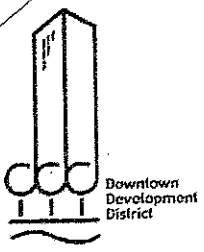
Peggy Lewis
CLERK OF COUNCIL



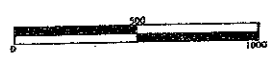
**Sidewalk Treatment Ordinance
Street Designation**

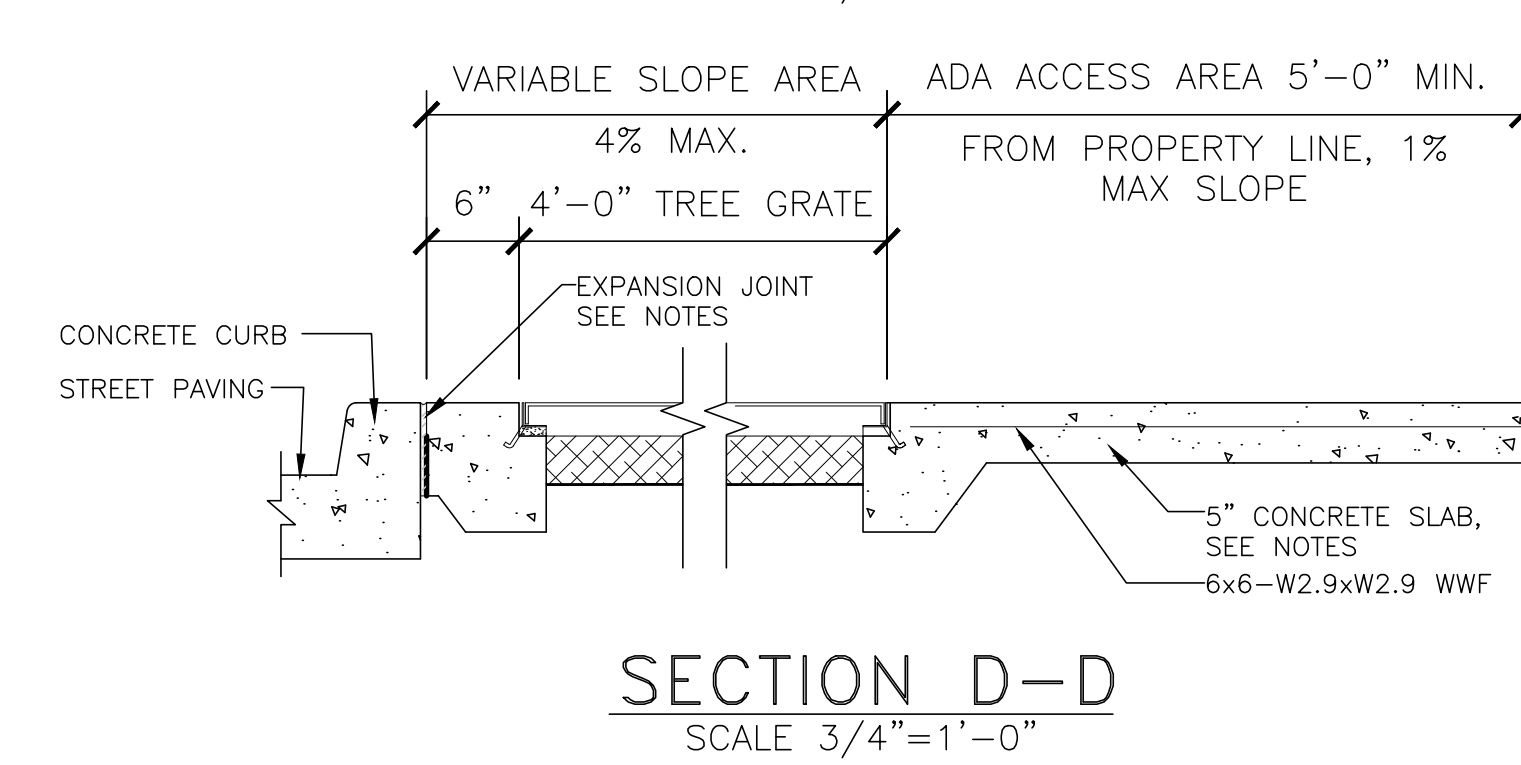
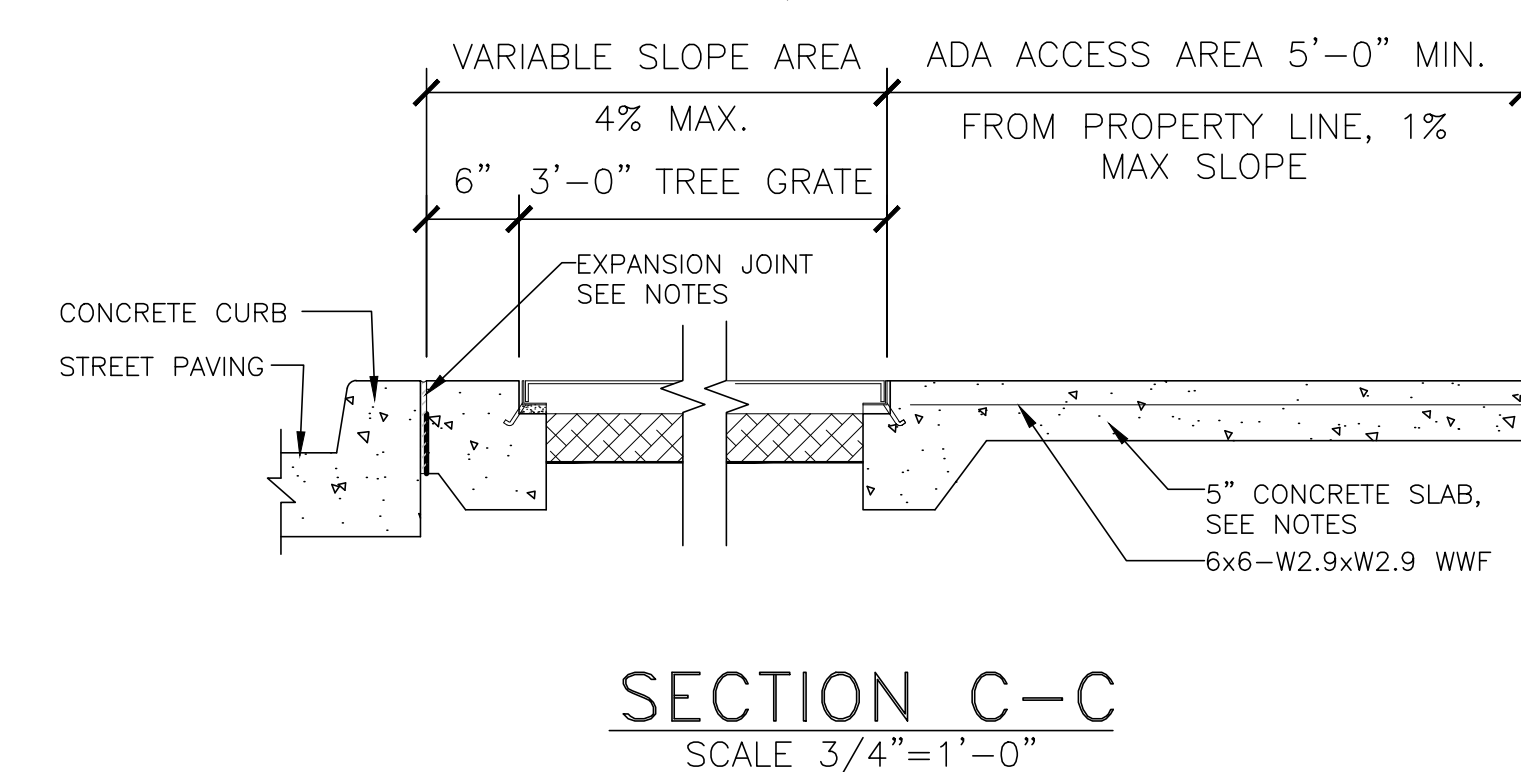
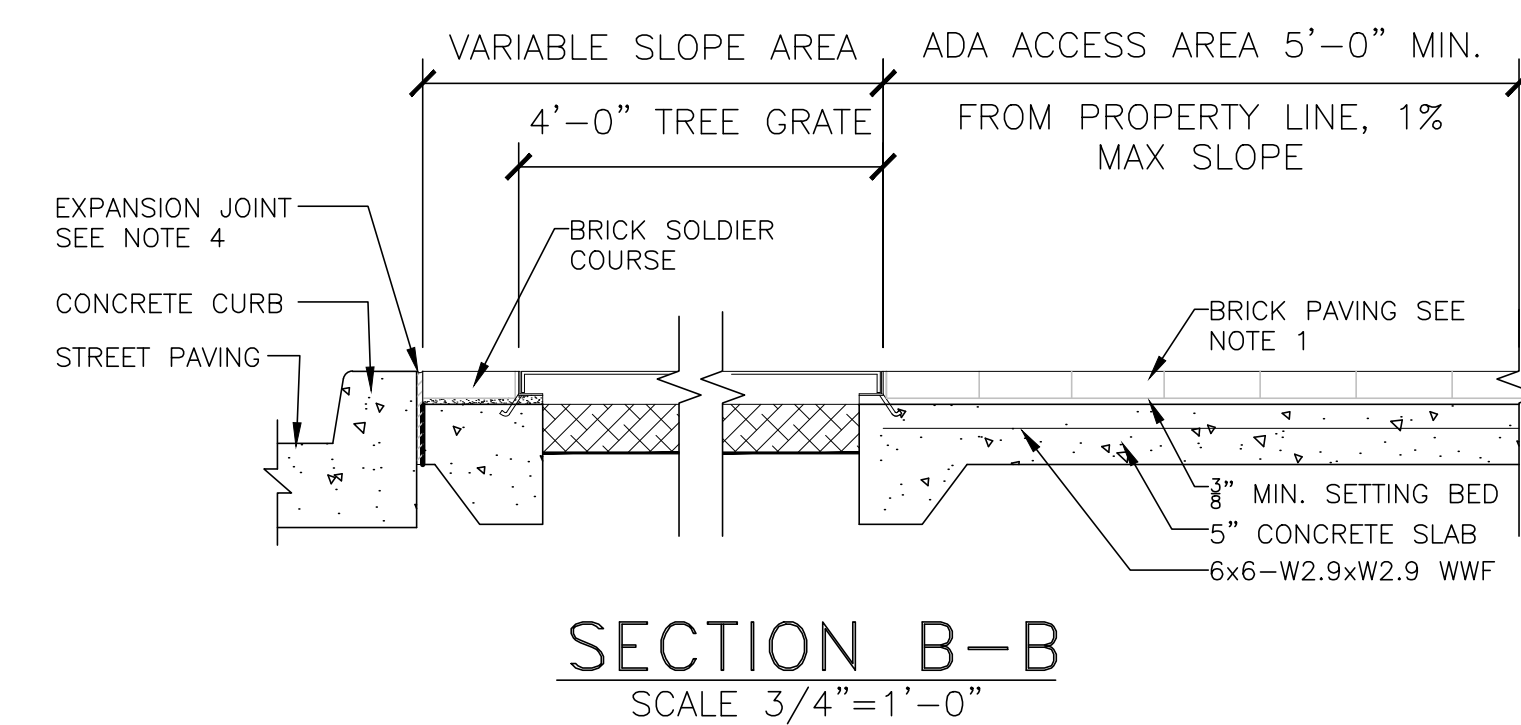
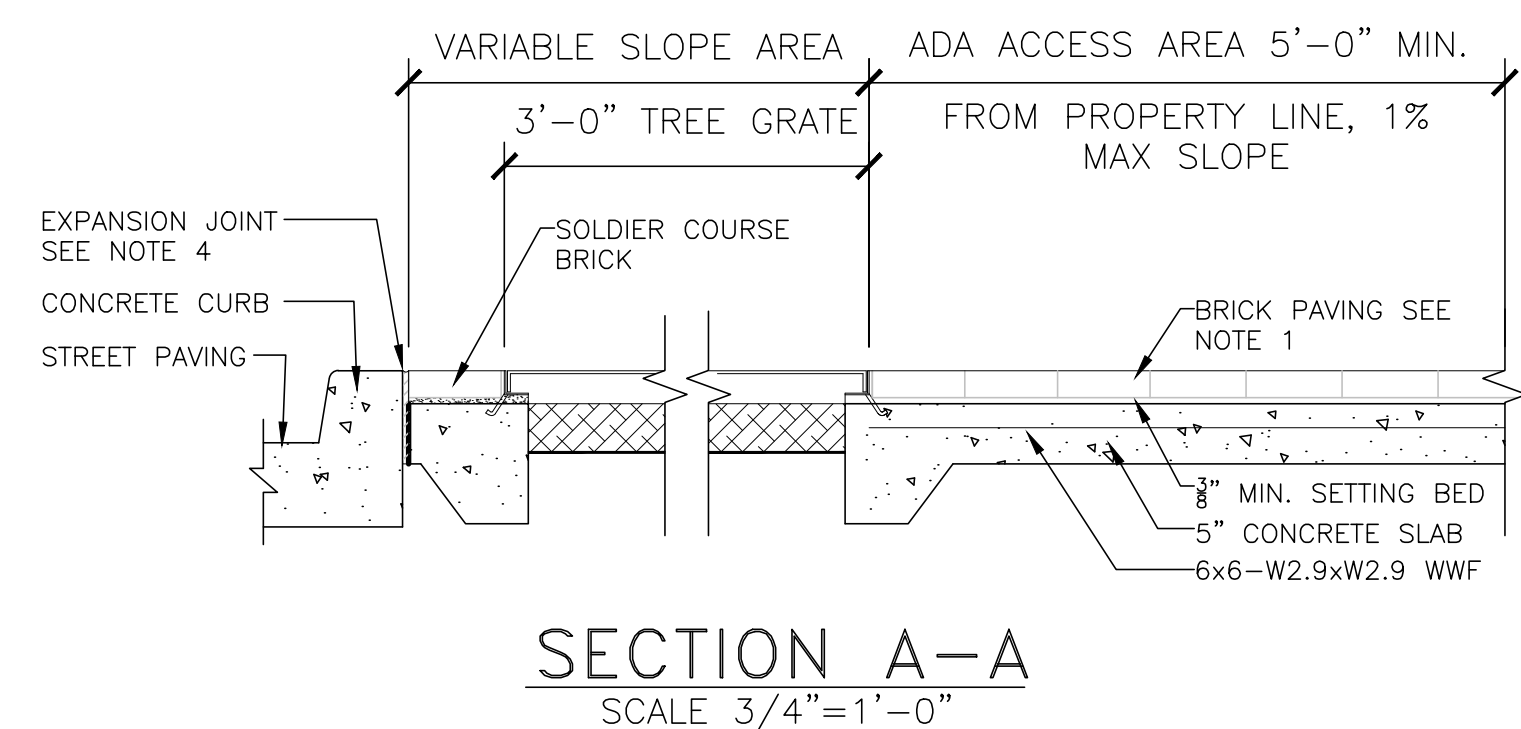
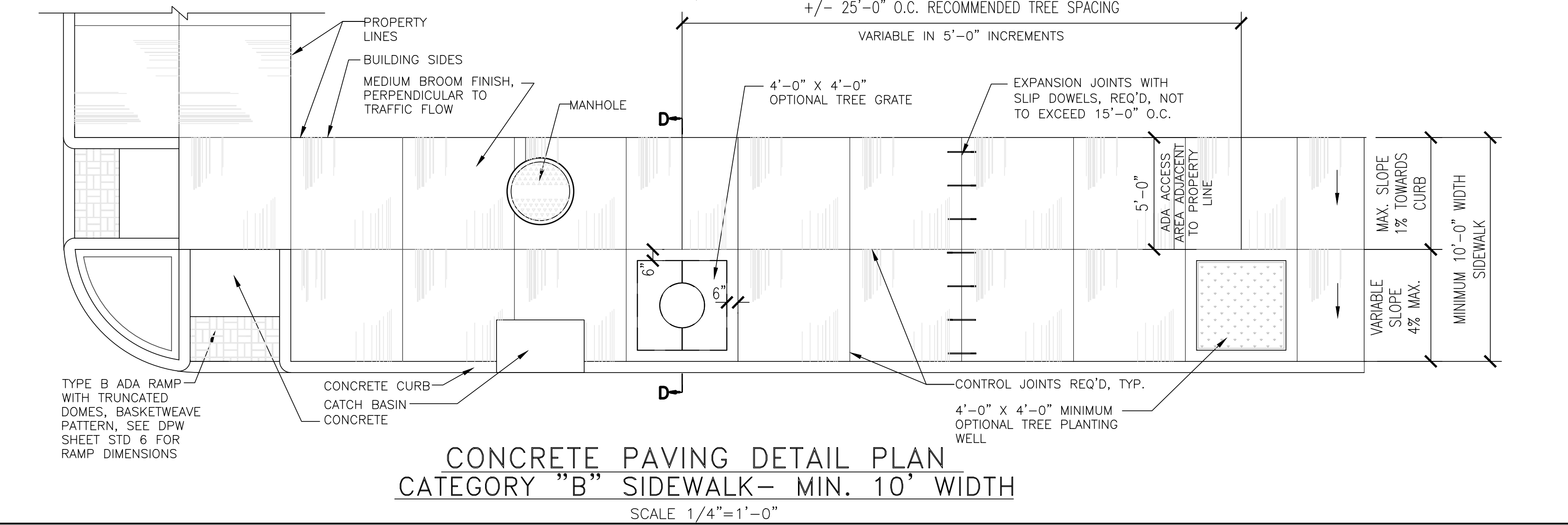
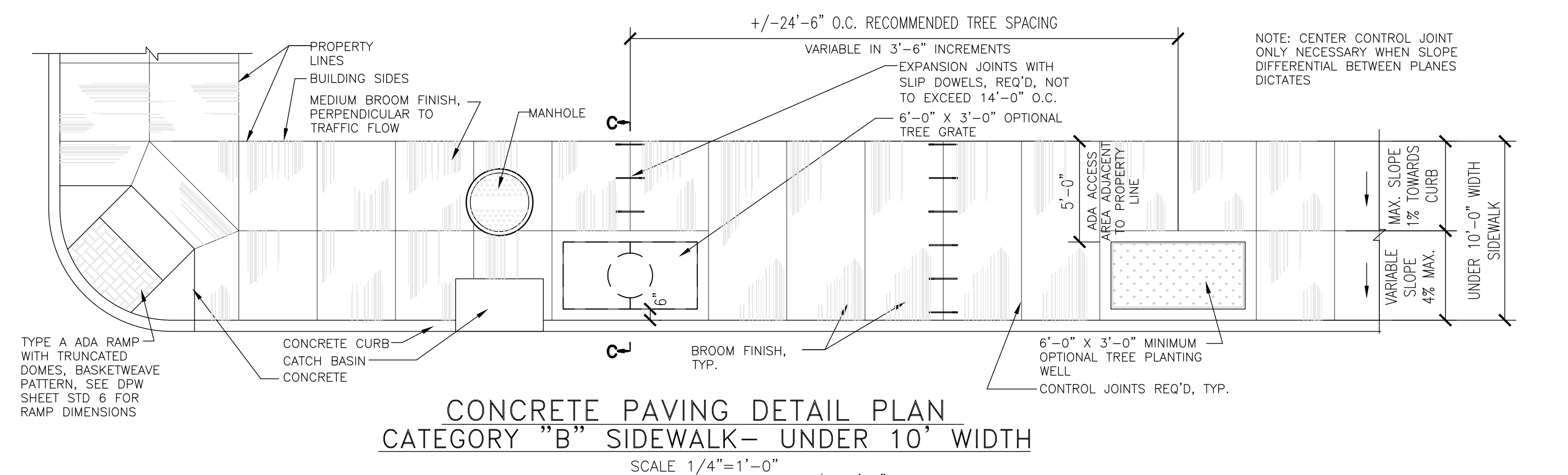
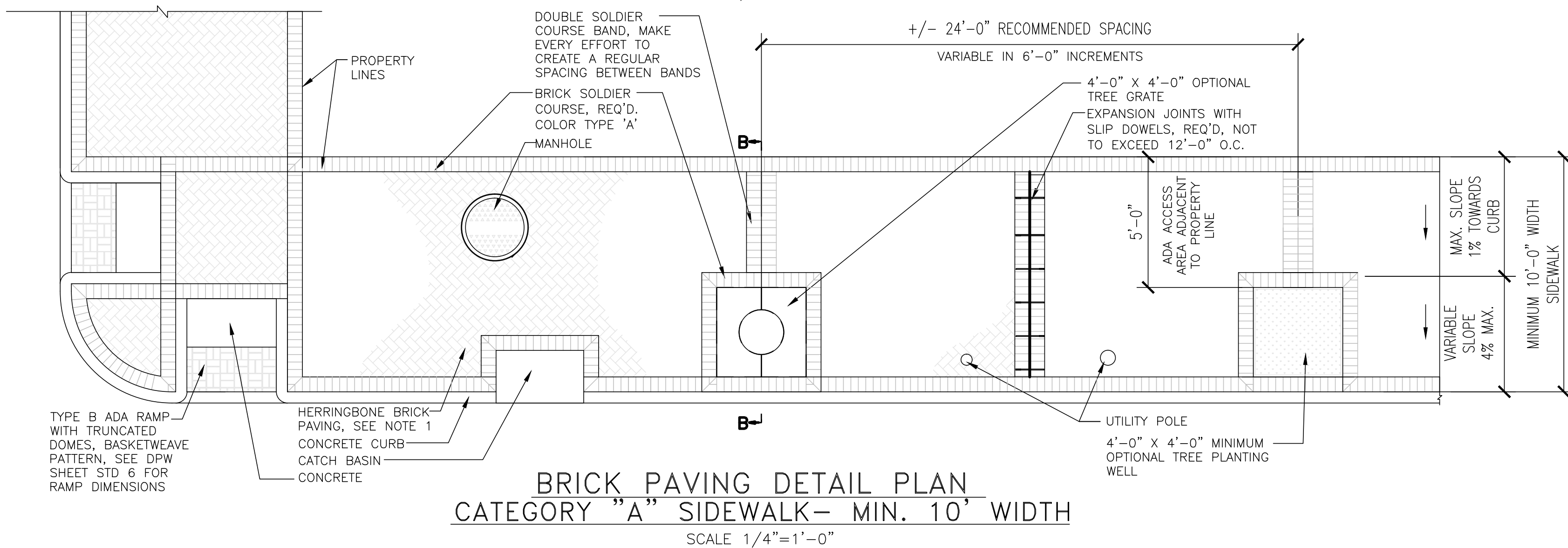
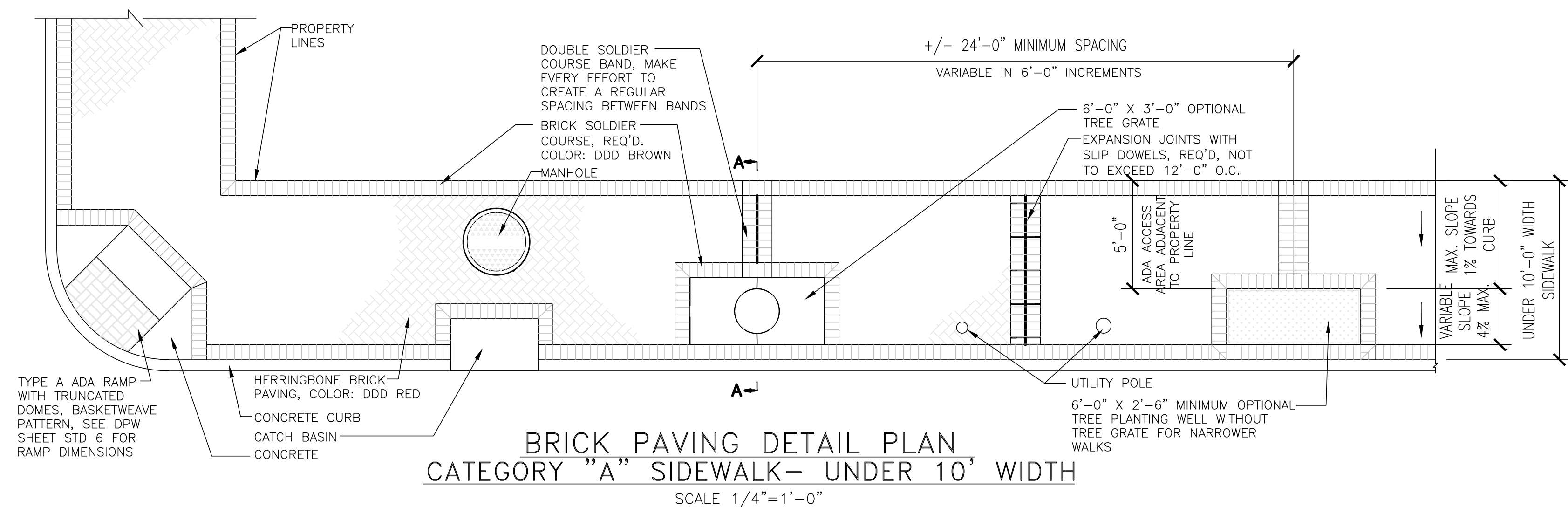
Legend

- Streets Categories**
-  Category "A"
 -  Category "B"
 -  Category "C"
 -  Category "D"
- Historic District**




Scale 1" = 500'

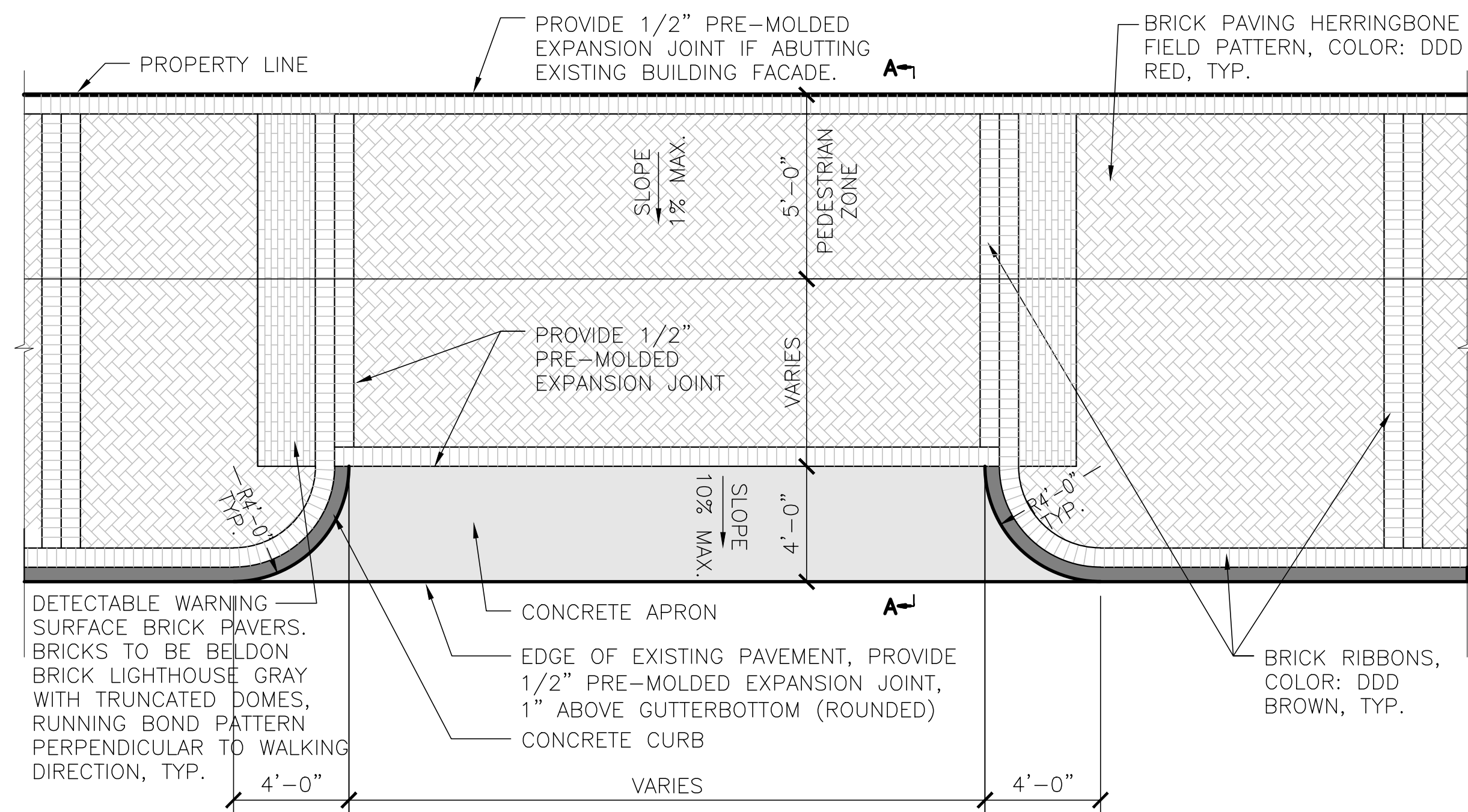




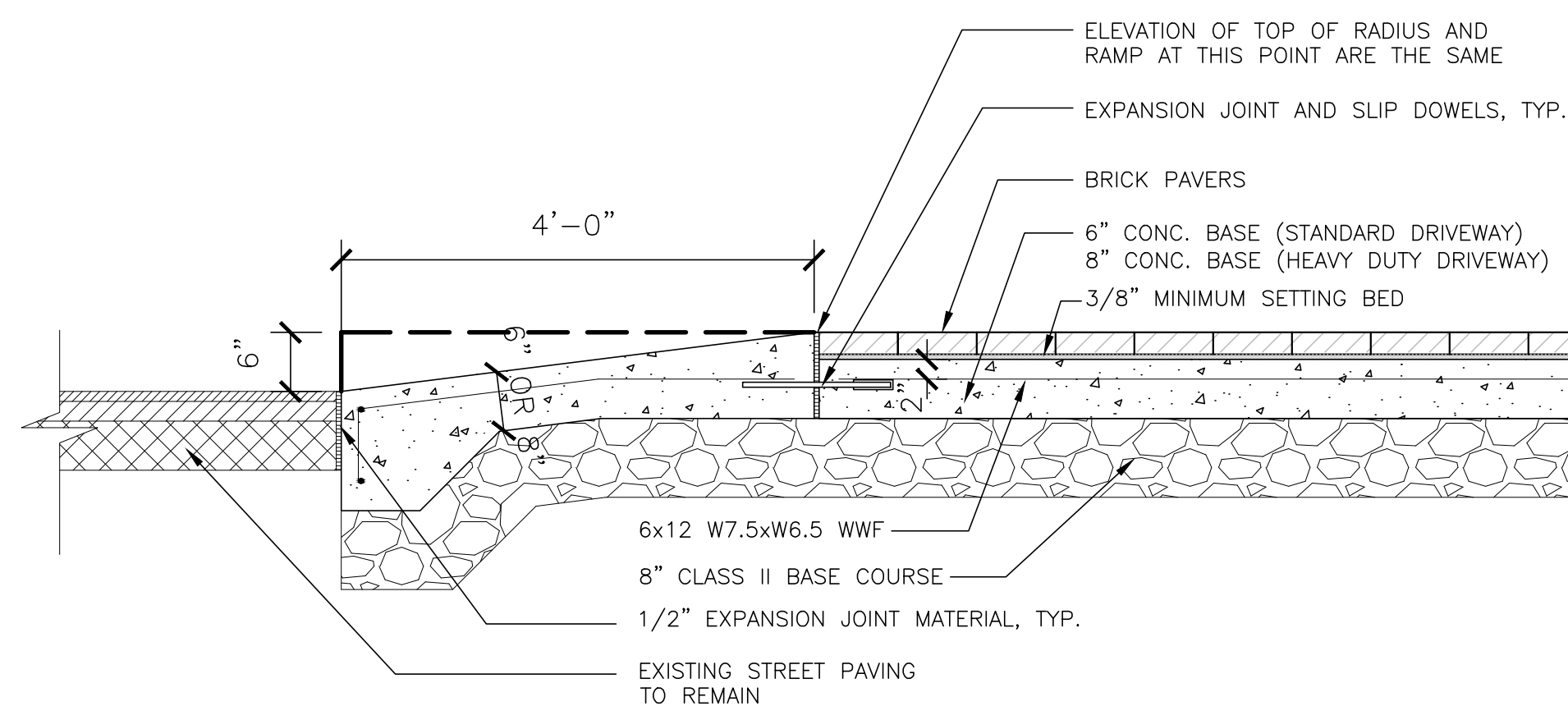
GENERAL NOTES:

- BRICK PAVING SHALL BE HERRINGBONE PATTERN. BRICKS SHALL BE HARD FIRED WITH A NON-SLIP FINISH. BRICKS USED SHALL HAVE A WIDTH THAT IS HALF OF ITS LENGTH AND LAYED WITH MORTARED JOINTS.
- ALL CONCRETE SIDEWALKS TO BE 5" THICK AND SHALL RECEIVE BROOM FINISH 90° TO DIRECTION OF PEDESTRIAN TRAFFIC AND RECEIVE CONTROL JOINTS AS INDICATED.
- EXPANSION JOINTS IN BRICK PAVING TO BE FULL DEPTH OF CONCRETE SLAB AND SETTING BED. TOP THICKNESS OF BRICK TO BE CAULKED WITH SILICONE FILLER TO MATCH COLOR OF BRICK AT EXPANSION JOINTS.
- EXPANSION JOINTS IN CONCRETE PAVING TO BE 2" PREMOULDED BITUMINOUS COMPOSITION STRIPS. TOP 1/2" OF JOINT TO BE CAULKED WITH SILICONE FILLER, LIGHT GRAY IN COLOR, EXPANSION JOINT TO BE DEPTH OF CONCRETE SLAB.
- SIDEWALK TO DRAIN AWAY FROM BUILDINGS TOWARDS CURB WITH SUFFICIENT SLOPE TO CREATE POSITIVE DRAINAGE.
- EITHER OF THE ACCESSIBLE RAMPS (TYPE 'A' OR 'B') SHOWN MAY BE USED, DEPENDANT ON EXISTING CONDITIONS, UTILITIES AND OTHER RAMPS AT THE CORNER.
- ALL HANDICAP RAMPS SHOULD INCLUDE DETECTABLE WARNING AND BE CONSTRUCTED IN ACCORDANCE WITH THE DEPARTMENT OF PUBLIC WORKS STANDARD PLAN AND THE LATEST ADA REQUIREMENTS.
- DETECTABLE WARNINGS SHALL BE HARD FIRED CLAY BRICKS WITH TRUNCATED DOMES THAT VISUALLY CONTRAST IN COLOR WITH SURROUNDING AREA AS PER DDD STANDARDS.
- IF REPAIRS MUST BE MADE CONTRACTOR TO REMOVE CONCRETE WITHIN CONTROL JOINT LINES TO MAINTAIN THE PATTERNING ON THE WALK.
- STONE PAVING (AS SHOWN ON STD18) SHALL BE LAYED IN CONTINENTAL PAVING PATTERN. A MINIMUM OF THREE WIDTHS OF STONE, VARYING BY 4" IN WIDTH REQUIRED. NO STONES OF THE SAME WIDTH ALLOWED SIDE BY SIDE. STONE SHALL BE A MINIMUM OF 1" THICKNESS AND HAVE A NON-SLIP FINISH. MORTAR JOINTS SHALL BE 1/4" TO 1/2" FLUSH WITH SURFACE.

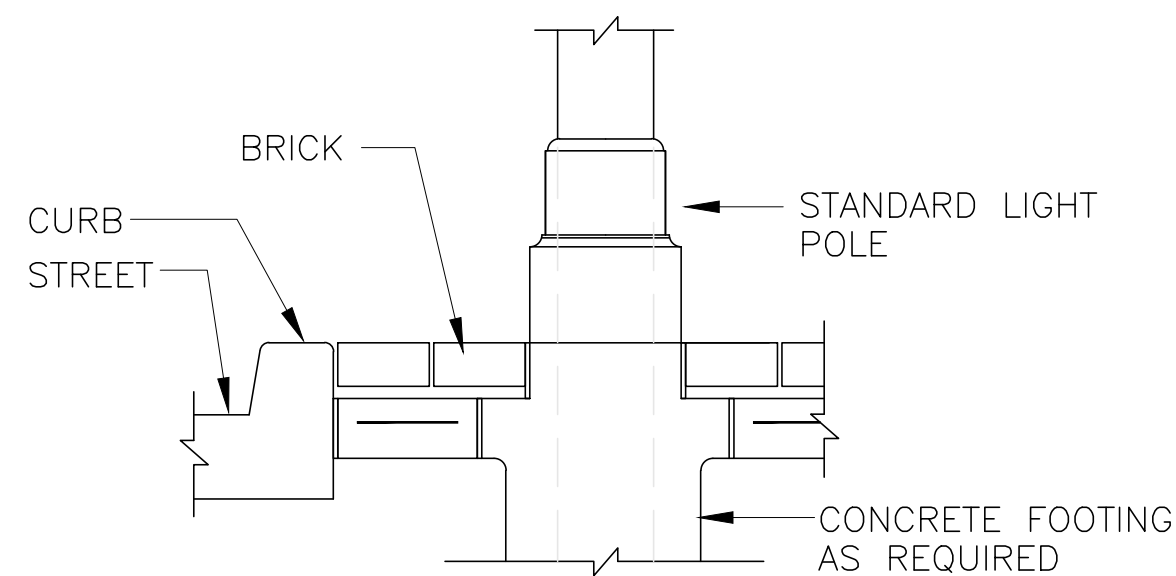
REVISION:	DATE:	DESCRIPTION:
		
<p align="center">CITY OF NEW ORLEANS DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION</p>		
<p align="center">BRICK, STONE & CONCRETE SIDEWALK & MISCELLANEOUS DETAILS FOR CONSTRUCTION IN THE DOWNTOWN DEVELOPMENT DISTRICT</p>		
<p>THE SELECTION AND USE OF THESE DETAILS, WHILE DESIGNED IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRINCIPLES AND PRACTICES, IS THE SOLE RESPONSIBILITY OF THE USER AND SHOULD NOT BE USED WITHOUT CONSULTING A LOUISIANA REGISTERED PROFESSIONAL ENGINEER.</p>	<p>REVIEWED BY: R. FERGUSON</p> <p>DATE: 12-10-2020</p>	<p>RECOMMENDED BY: NGUYEN D. PHAN, CHIEF ENGINEER</p> <p>SCALE: AS NOTED</p> <p>APPROVED: ROBERT C. MENDOZA, DIRECTOR</p>
<p>DRAWING No.</p>		<p>STD17</p>



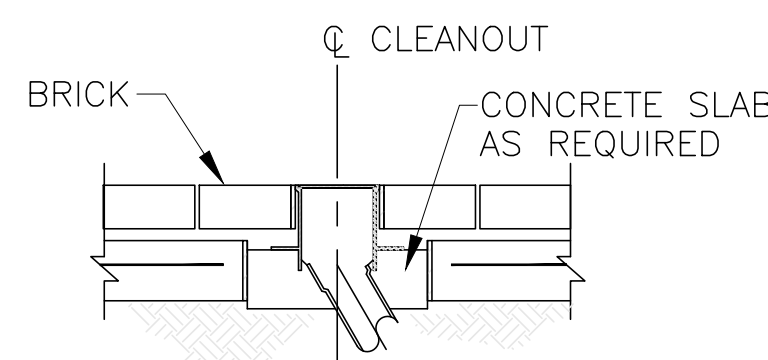
CURB CUT DETAIL
SCALE 1/16"=1'-0"



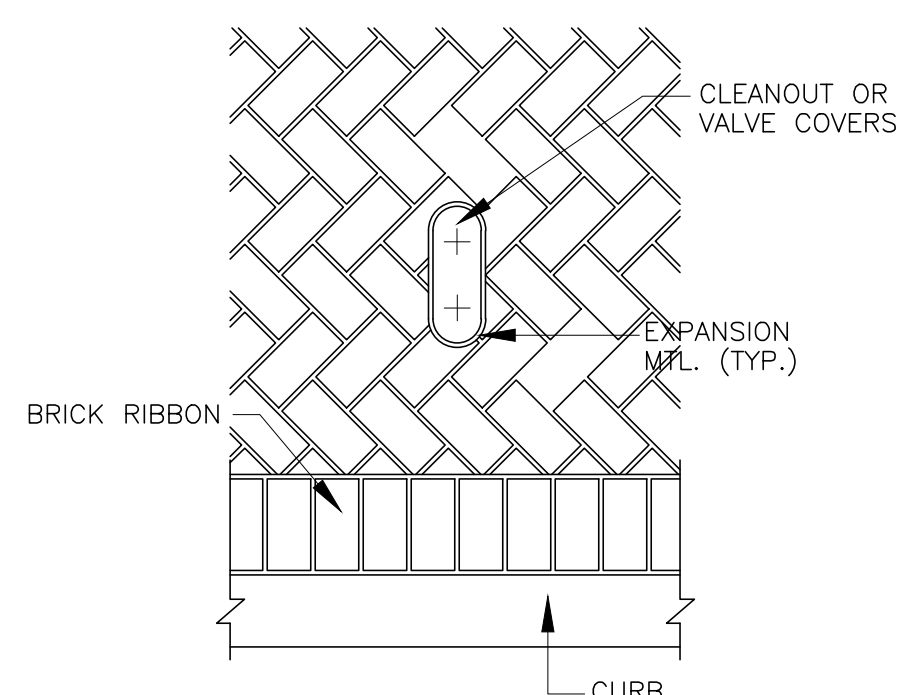
SECTION A-A
SCALE 3/4"=1'-0"



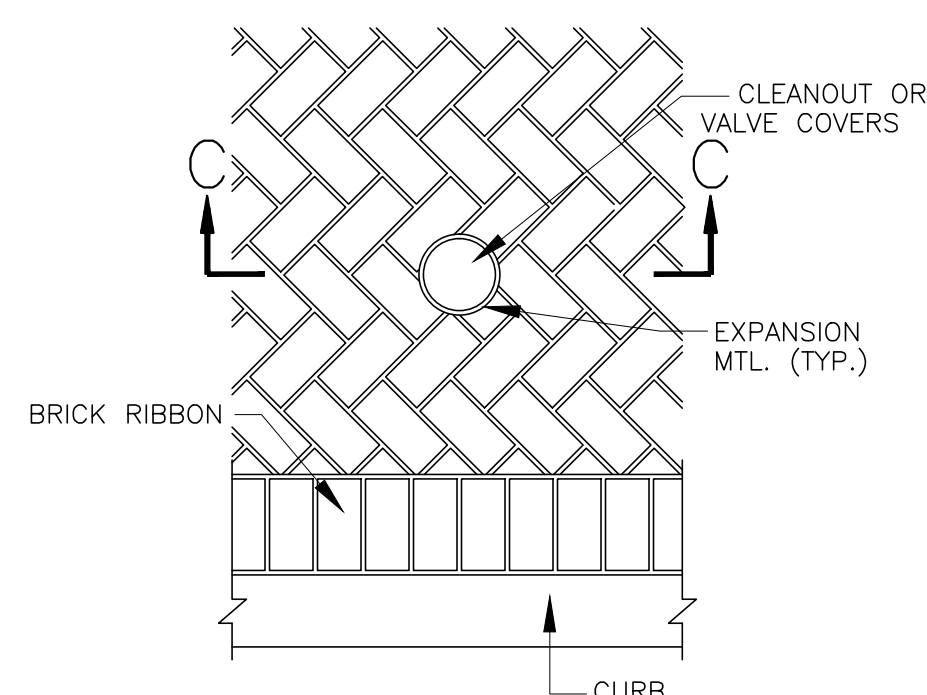
TYPICAL POLE SECTION
SCALE 3/4"=1'-0"



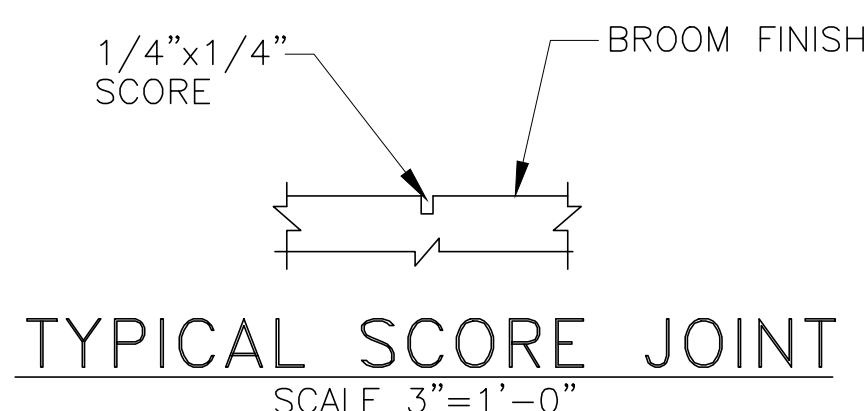
SECTION C-C
SCALE 3/4"=1'-0"



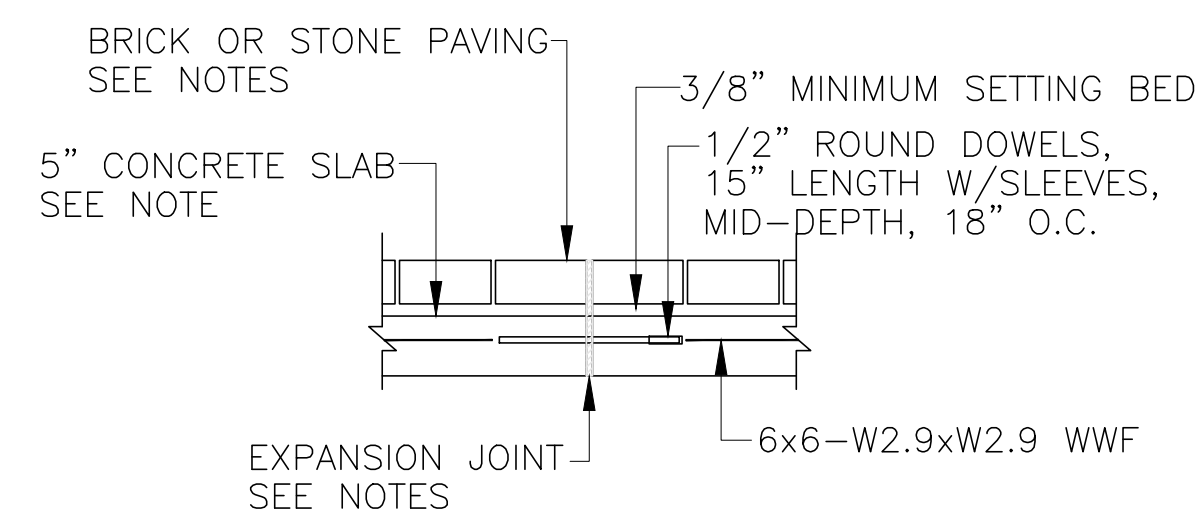
CLEANOUT OR VALVE TYPICAL PLAN
SCALE 3/4"=1'-0"



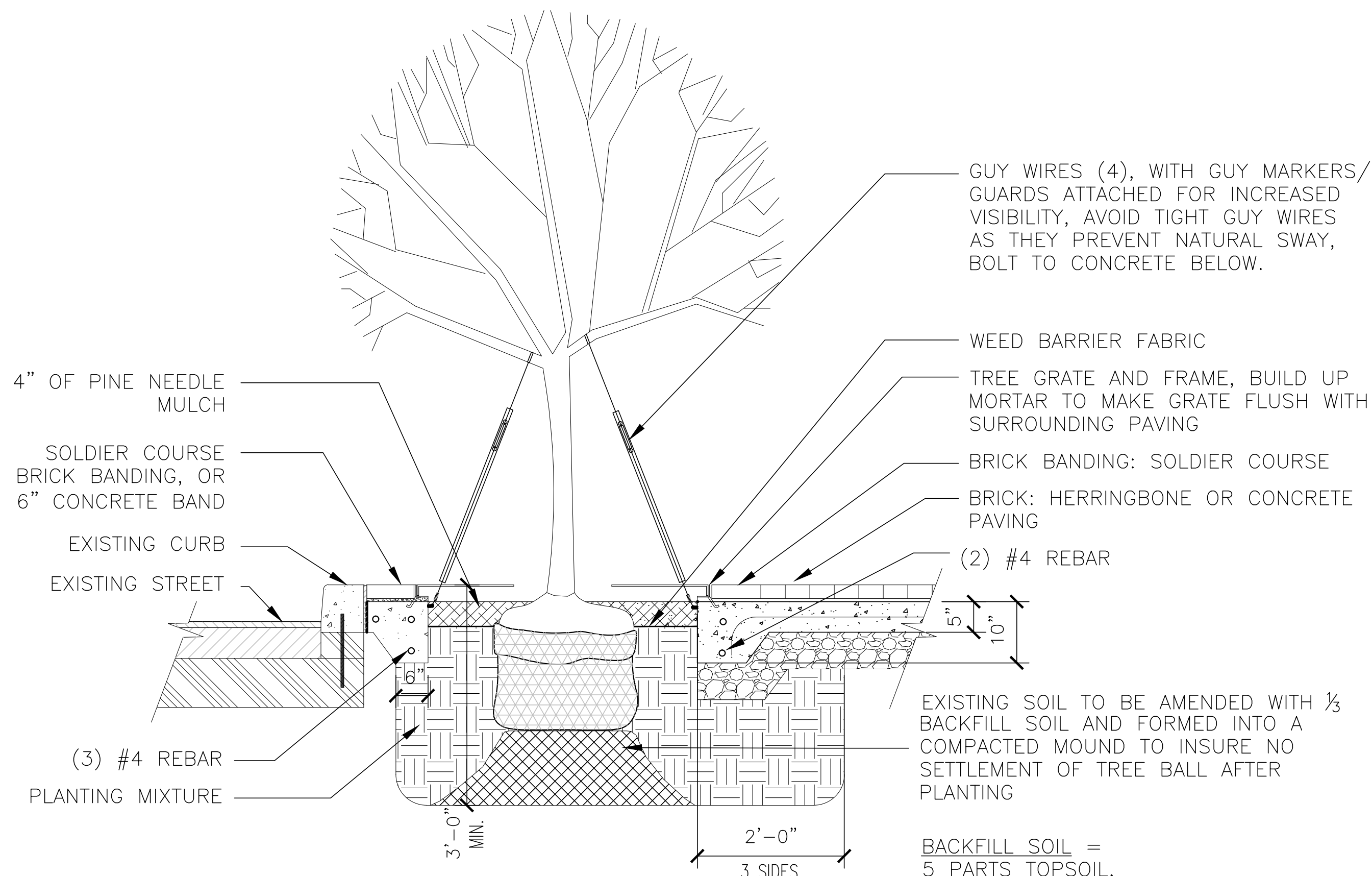
CLEANOUT OR VALVE TYPICAL PLAN
SCALE 3/4"=1'-0"



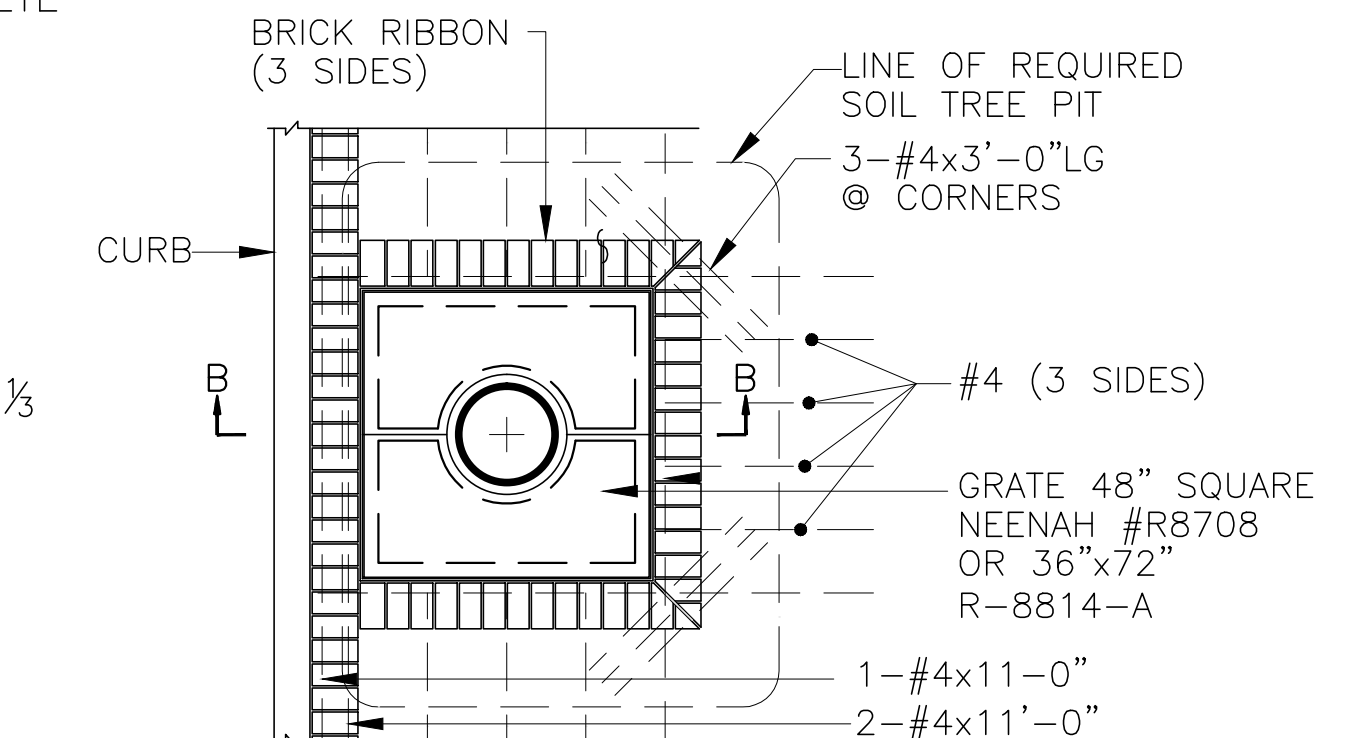
TYPICAL SCORE JOINT
SCALE 3"=1'-0"



BRICK/STONE SLIP DOWEL DETAIL
SCALE 3/4"=1'-0"

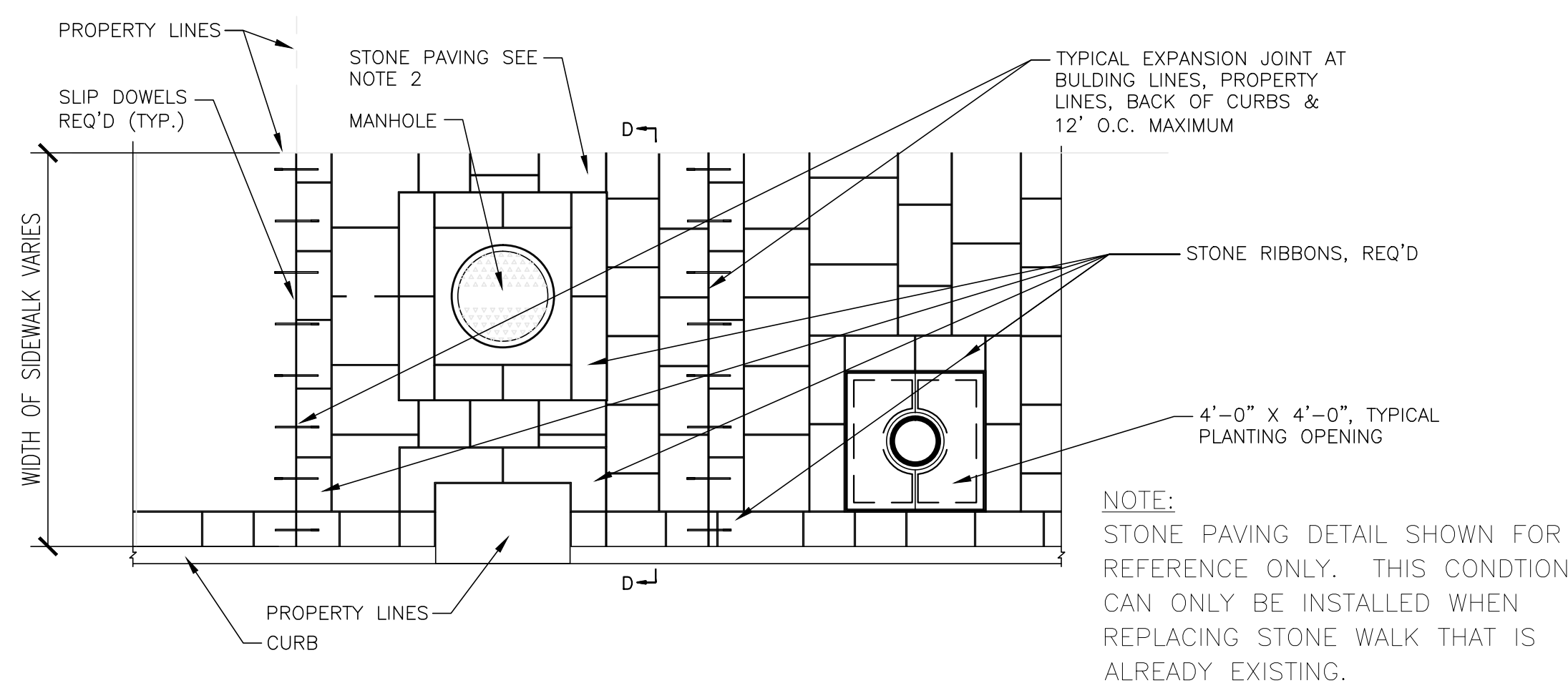


SECTION B-B
SCALE 3/4"=1'-0"

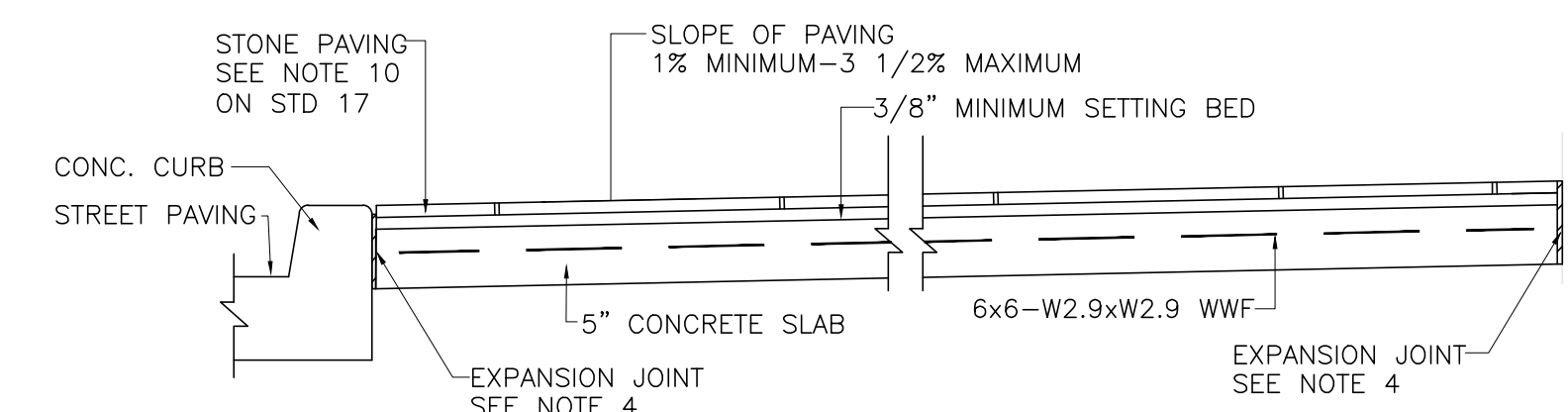


STREET TREE PLANTING DETAIL
SCALE 3/8"=1'-0"


BACKFILL SOIL =
5 PARTS TOPSOIL,
3 PARTS PINE BARK FOR BED PREP
AND BACKFILLING
1 PART SAND
1 PART MANURE
WATER MANAGEMENT GEL
MYCORRHIZAL INOCULANT



STONE PAVING DETAIL
SCALE 1/4"=1'-0"



SECTION D-D
SCALE 1/4"=1'-0"

REVISION:	DATE:	DESCRIPTION:
		
<p>CITY OF NEW ORLEANS DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION</p>		
<p>BRICK, STONE & CONCRETE SIDEWALK & MISCELLANEOUS DETAILS FOR CONSTRUCTION IN THE DOWNTOWN DEVELOPMENT DISTRICT</p>		
<p>DRAWN BY: R. FERGUSON</p> <p>DATE: 12-10-2009</p>	<p>REVIEWED BY: M.T. B.V. R.S. R.M. A.Y.</p> <p>SCALE: AS NOTED</p>	<p>RECOMMENDED BY: NGUYEN D. PHAN, CHIEF ENGINEER</p> <p>APPROVED: ROBERT C. MENDOZA, DIRECTOR</p>
<p>THE SELECTION AND USE OF THESE DETAILS, WHILE DESIGNED IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRINCIPLES AND PRACTICES, IS THE SOLE RESPONSIBILITY OF THE USER AND SHOULD NOT BE USED WITHOUT CONSULTING A LOUISIANA REGISTERED PROFESSIONAL ENGINEER.</p>		<p>DRAWING No. STD18</p>

NOTES:
TREE GRATES TO BE BY NEENAH FOUNDRY,
BOULEVARD COLLECTION EITHER 48"x48" WITH A
24" TREE OPENING OR THE 36"x72" WITH A 16"
DIAMETER TREE OPENING